

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

American Safety Casualty
Insurance Company,

Plaintiff,

vs.

FURI Development, LLC, d/b/a Farache
Enterprises; Timothy Furiate; and Kimberly
Furiate,

Defendants.

C/A No. 0:13-cv-01579-JFA

ORDER

This matter comes before this court on a motion for default judgment filed by the plaintiff, American Safety Casualty Insurance Company (“Plaintiff”), pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. ECF No. 10. Specifically, Plaintiff submits that the defendants, FURI Development, LLC, d/b/a Farache Enterprises, Timothy Furiate, and Kimberly Furiate (“Defendants”), failed to file a responsive pleading or to make another appearance in the case. As such, the Clerk of Court made an entry of default against Defendants on July 11, 2013. ECF No. 11. On September 4, 2013, the court held a hearing to determine the amount of the default judgment.

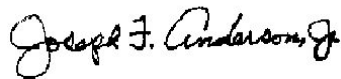
After carefully considering the evidence presented at the hearing, the court finds that Plaintiff is entitled to default judgment in the amount of \$2,599,974.00. This amount includes \$185,585.00 in indemnity and expense reserves for pending surety claims connected to this matter, which Plaintiff still is investigating and/or attempting to resolve. The court retains jurisdiction over this matter so that, if necessary, it may amend the amount of the judgment later to reflect the indemnity losses and expenses that Plaintiff pays for these pending surety claims.

However, it is the court's intent to enter the judgment ordered below immediately and to consider the judgment final and immediately enforceable.

Accordingly, this court grants Plaintiff's motion for default judgment and enters judgment for Plaintiff and against Defendants, jointly and severally, in the amount of TWO MILLION, FIVE HUNDRED NINETY-NINE THOUSAND, NINE HUNDRED SEVENTY-FOUR AND 00/100 DOLLARS (\$2,599,974.00). Additionally, this court asks that counsel for Plaintiff, no later than six months after the date of this order, furnish the court and Defendants with a written report of the status of the surety claims that Plaintiff still was investigating and/or attempting to resolve on the date of the default judgment hearing.

IT IS SO ORDERED.

September 23, 2013
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge